

## Message Text

CONFIDENTIAL

PAGE 01 STATE 140661  
ORIGIN L-03

INFO OCT-01 EA-10 ISO-00 JUSE-00 EB-08 TRSE-00 XMB-02  
COME-00 CIAE-00 INR-10 NSAE-00 /034 R

DRAFTED BY L/EA:SAORLINS  
APPROVED BY EA/TIMBS:REFRITTS  
DOJ:HWEBB

-----065961 031128Z /15

R 030041Z JUN 78  
FM SECSTATE WASHDC  
TO AMEMBASSY JAKARTA

C O N F I D E N T I A L STATE 140661

E.O. 11652: GDS

TAGS: PINS, ID

SUBJECT: WAIVER OF INDONESIA BANK SECRECY LAW

REF: (A) STATE 014559 (B) JAKARTA 1126

1. THE DEPARTMENT OF JUSTICE HAS WRITTEN THE LEGAL ADVISER REQUESTING DEPT'S COOPERATION CONCERNING AN ILLICIT PAYMENT INVESTIGATION IN THE SALE OF THE INDONESIAN DOMESTIC SATELLITE SYSTEM (DOMSAT). DOJ HAS ASKED THAT THE EMBASSY REQUEST THE GOI TO WAIVE ITS BANK SECRECY LAW IN REGARD TO SPECIFIED BANK ACCOUNTS. DOJ HAS REVIEWED ITS LIST AND PARED ITS REQUEST TO THOSE ACCOUNTS WHERE IT HAS REASON TO BELIEVE TRANSACTIONS INVOLVING WRONGDOING WILL BE REFLECTED. ACCORDINGLY, EMBASSY IS REQUESTED TO DELIVER A NOTE OR LETTER ALONG THE FOLLOWING LINES TO THE MINISTER OF FINANCE.

2. QUOTE. COMPLIMENTARY OPENING.

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THE US DEPARTMENT OF JUSTICE IS INVESTIGATING ALLEGED ILLEGAL PAYMENTS BY AMERICAN CORPORATIONS TO FOREIGN OFFICIALS AS PART OF A CONTINUING EFFORT TO ENFORCE US LAWS AND REGULATIONS. IN THE INSTANT CASE, THESE CORPORATIONS SWORE THAT NO SUCH PAYMENTS WERE MADE IN MAKING

APPLICATION TO THE EXPORT-IMPORT BANK OF THE UNITED STATES

FOR THE FINANCING OF THESE PROJECTS. ACCORDINGLY, THE EXISTENCE OF THESE PAYMENTS WOULD CONSTITUTE FRAUD ON THE UNITED STATES GOVERNMENT AND BE A VIOLATION OF UNITED STATES CRIMINAL LAW.

PURSUANT TO THIS INVESTIGATION, A FEDERAL GRAND JURY HAS ISSUED SUBPOENAS CALLING FOR THE PRODUCTION OF RECORDS OF CERTAIN AMERICAN BANKS LOCATED IN INDONESIA. THESE DOCUMENTS ARE RECORDS OF SEVERAL ACCOUNTS OF SUSPECTED RECIPIENTS IN INDONESIA OF PAYMENTS MADE BY THE AMERICAN COMPANIES. THE DEPARTMENT OF JUSTICE HAS REASON TO BELIEVE THAT THE BANK RECORDS REPORTED HAVE A DIRECT BEARING ON THE PENDING GRAND JURY INVESTIGATION. HOWEVER, THE BANKS HAVE ADVISED DEPARTMENT OF JUSTICE THAT THEY BELIEVE THEY ARE PROHIBITED FROM PRODUCING THE RECORDS SOUGHT UNDER THE PROVISIONS OF THE INDONESIAN BANKING LAW.

ACCORDINGLY, THE EMBASSY RESPECTFULLY REQUESTS THAT THE MINISTER OF FINANCE WAIVE THE APPLICATION OF THE BANKING LAW IN REGARD TO THE FOLLOWING BANK ACCOUNTS IN ORDER THAT THE REQUIRED INFORMATION MAY BE MADE AVAILABLE TO DEPARTMENT OF JUSTICE.

CHASE MANHATTAN        JAKARTA ELNUSA  
01-30-00732-1(02)  
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01-30-08538-4(02)

P.T. KOMUNIKASI TERRESTRIA  
01-30-10701-4(02)

NAME UNKNOWN  
01-60-08496-8(02)

P.T. MOTORESIA, INC.  
01-30-10689-(02)

BANK AMERICA        JAKARTA  
010099

COMPLIMENTARY CLOSE. UNQUOTE. CHRISTOPHER

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## Message Attributes

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**Current Classification:** UNCLASSIFIED  
**Concepts:** CORRUPTION, BANK ACCOUNTS, BANK SERVICES, INVESTIGATIONS, BUSINESS FIRMS  
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**Draft Date:** 03 jun 1978  
**Decaption Date:** 01 jan 1960  
**Decaption Note:**  
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**Disposition Approved on Date:**  
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**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 20 Mar 2014  
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**Document Unique ID:** 00  
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**Enclosure:** n/a  
**Executive Order:** GS  
**Errors:** N/A  
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**Previous Classification:** CONFIDENTIAL  
**Previous Handling Restrictions:** n/a  
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**Status:** NATIVE  
**Subject:** WAIVER OF INDONESIA BANK SECRECY LAW  
**TAGS:** PINS, EFIN, ID, US  
**To:** JAKARTA  
**Type:** TE  
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**Review Markings:**  
Sheryl P. Walter  
Declassified/Released  
US Department of State  
EO Systematic Review  
20 Mar 2014  
**Markings:** Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014